



**Seyfarth Shaw LLP**

620 Eighth Avenue  
New York, New York 10018  
T (212) 218-5500  
F (212) 218-5526

jegan@seyfarth.com  
T (212) 218-5291

www.seyfarth.com

**MEMO ENDORSED**

September 25, 2020

**VIA ECF & EMAIL**

Hon. Katherine Polk Failla  
U.S. District Judge  
U.S. District Court for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007  
Failla\_NYSDChambers@nysd.uscourts.gov

**Re: *Paguada v. Fiskars Brands, Inc.*,  
Civil Action No.: 1:20-cv-05712-KPF (S.D.N.Y.)**

Dear Judge Failla:

This firm represents Defendant Fiskars Brands, Inc. ("Defendant") in the above-referenced matter. We write, with the consent of Plaintiff Josue Paguada ("Plaintiff"), to respectfully request a 21-day extension of time for Defendant to respond to the Complaint, up to and including October 20, 2020.

By way of background, Plaintiff commenced this action on or about July 23, 2020. (ECF No. 1.) On August 4, 2020, Plaintiff filed an executed waiver of service form. (ECF No. 5.) Defendant's responsive pleading deadline is currently September 29, 2020.

This letter is the first request for an extension of Defendant's responsive pleading deadline. The parties have initiated settlement discussions, and Defendant is requesting this extension to provide it with additional time to investigate the allegations in the Complaint and continue these discussions without having to expend unnecessary resources. We have communicated with counsel for Plaintiff, and Plaintiff consents to this request.

We respectfully submit this request in good faith and not to cause undue delay. The granting of this application will not impact any other scheduled deadlines, including the Initial Pretrial Conference scheduled for October 21, 2020. We thank the Court for its time and attention to this matter.



Hon. Katherine Polk Failla  
September 25, 2020  
Page 2

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

cc: All counsel of record (via ECF)

The Court is in receipt of the above letter from Defendant. The deadline for Defendant to respond to the Complaint is hereby extended to **October 19, 2020**. The parties are reminded that, per the Notice of Initial Pretrial Conference, the parties are required to submit a proposed Case Management Plan and joint letter the Thursday prior to the IPTC, which would be **October 15, 2020**. Please make sure that those items are filed by October 15, 2020, in conformity with the instructions laid out in the Notice of Initial Pretrial Conference.

Additionally, this is a reminder that the IPTC is held for the parties' benefit as much as the Court's. If the parties are able to mutually agree on a Case Management Plan and do not have any specific issues they wish to raise before the Court, they may request in their joint letter that the Court adjourn the IPTC and allow the parties to proceed directly to discovery. If the parties prefer to proceed with the IPTC, it will be converted to a telephonic conference in light of the ongoing pandemic.

Dated: September 28, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE